HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7570 OF 2005.

Ratnagiri Dist. Primary Teachers
Co-op. Credit Society Ltd., ..Petitioner.
Versus.
State of Maharashtra & Ors. ..Respondents.

Shri. G.J.Sabnis for the Petitioners.

Shri. A. H. Palekar, AGP, for the respondent-State.

CORAM: S.B.MHASE, J.
DATE : MARCH 6, 2006.

P.C.

1. Heard learned counsel for the petitioner.

Rule. By consent of both sides rule is made returnable forthwith.

2. Learned A.G.P. Shri. A.H.Palekar appears for the respondent - State.

3. Learned counsel for the petitioner has submitted that the adminstrator was appointed under section 78(1) of the Maharashtra Co-operative Societies Act, 1960 on Ratnagiri District Co-op. Credit of Society Ltd. The said order was challenged before the Divisional Joint Registrar of the Co-operative Societies in Appeal Nos. 18 of 2005 and 19 of 2005. The Divisional Joint Registrar had

allowed the appeals and remitted the matter back for further enquiry. However, while remanding the matter it is directed that the hearing shall be given to Shri. Ashok Kale, Shri. Manoj Redij and Vinayak Hatkhambakar. The rest of the Managing Committee members was not afforded the opportunity of the hearing. Therefore petitioner has approached to this Court making request that the members of the Managing committee shall be given hearing after remand of the matter.

4. Learned A.G.P. has no objection for such opportunity being given. Therefore, petition is allowed. Order of the Divisional Joint Registrar to the extent the matter has been remitted back to the subordinate authority for reconsideration and re-hearing is confirmed. However, it is further clarified that along with Shri. Ashok Kale, Shri. Manoj Redij and Vinayak Hatkhambakar, the other members of the managing committee, more particularly described as petitioners in this petition, shall also be offered personal hearing before the Assistant Registrar.

5. With these directions writ petition is disposed of.

(S.B.MHASE, J.)